



EAGLE MOUNTAIN PLANNING COMMISSION MEETING

May 25, 2021, 5:30 PM

Eagle Mountain City Council Chambers

1650 East Stagecoach Run, Eagle Mountain, Utah 84005

5:30 P.M. - Eagle Mountain City Planning Commission Work Session

1. Discussion Items

- 1.A [Smith Ranch Community Park Design Update](#)
- 1.B [DISCUSSION - Front Loaded Garages and Private Streets](#)
[Private Road Standards Research](#)
[Private Road Research](#)

6:30 P.M. - Eagle Mountain City Planning Commission Policy Session

2. Pledge of Allegiance

3. Declaration of Conflicts of Interest

4. Approval of Meeting Minutes

- 4.A [May 11, 2021 Planning Commission Minutes](#)
[PC Minutes 05.11.2021 - DRAFT.pdf](#)

5. Status Report

6. Action and Advisory Items

- 6.A [PUBLIC HEARING - A to Z Building Blocks \(Site Plan\)](#)
A proposal to build an addition on the existing A to Z Building Blocks, located at 3563 Ranches Parkway.
[Playground Design](#)
[Site Plan](#)
[Floor Plan](#)
[Color Elevations](#)
[Existing Building](#)
- 6.B [Scarlet Ridge Master Development Agreement \(MDA\)](#)
A master development agreement for the Scarlet Ridge Estates Master Development Plan,

which was approved by the City Council on March 2, 2021

[Scarlet Ridge MDA draft](#)

[NoD - Rezone and GP Amendment](#)

[NoD - Preliminary Plat](#)

[Preliminary Plat](#)

7. **Discussion Items**

8. **Next scheduled meeting**

9. **Adjournment**

THE PUBLIC IS INVITED TO PARTICIPATE IN PUBLIC MEETINGS FOR ALL AGENDAS.

In accordance with the Americans with Disabilities Act, Eagle Mountain City will make reasonable accommodation for participation in all Public Meetings and Work Sessions. Please call the City Recorder's Office at least 3 working days prior to the meeting at 801-789-6610. This meeting may be held telephonically to allow a member of the public body to participate. This agenda is subject to change with a minimum 24-hour notice.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this 21st day of May, 2021, on the Eagle Mountain City bulletin boards, the Eagle Mountain City website www.emcity.org, posted to the Utah State public notice website <http://www.utah.gov/pmn/index.html>, and was emailed to at least one newspaper of general circulation within the jurisdiction of the public body.

Fionnuala B. Kofoed, MMC, City Recorder



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
MAY 25, 2021**

TITLE:	Smith Ranch Community Park Design Update		
ITEM TYPE:	Communication Item		
FISCAL IMPACT:			
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Tayler Jensen, Planning

PRESENTED BY:

MHNT

RECOMMENDATION:

BACKGROUND:

ITEMS FOR CONSIDERATION:

Representatives from MHNT will walk through the Smith Ranch Park Concept Plans.

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
MAY 25, 2021**

TITLE: DISCUSSION - Front Loaded Garages and Private Streets

ITEM TYPE: Communication Item

FISCAL IMPACT:

APPLICANT:

**GENERAL PLAN
DESIGNATION**

CURRENT ZONE

ACREAGE

COMMUNITY

PUBLIC HEARING:

No

RECOMMENDATION:

PREPARED BY:

Tayler Jensen, Planning

BACKGROUND:

PRESENTED BY:

Tayler Jensen - Senior Planner

ITEMS FOR CONSIDERATION:

City code currently recommends that multifamily developments provide rear-entry garages, staff wishes to get feedback on draft changes to these provisions.

City code currently doesn't address private road standards, staff has researched private street standards around the State and wishes to present these findings to the Commission in anticipation of drafting an ordinance to address private road standards.

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[Private Road Standards Research](#)

City / Community	Private Roads Allowed?	Private Street ROW
Draper	Yes	24'
		31'
		37'
		At least 20' of pavement and 4' sidewalks on both Sides of Street
Payson	No	
Bountiful	No	
Lehi	Yes	Private Alley (For rear loaded garages) 20'
		Private Street 24' (No Parking)
		Private Street 28' (Parking on one side)
Saratoga Springs	Yes	45'
		53'
		59'
Nibley	Yes	32' - 36'
		20'
Midvale	Yes	35'
Holladay	Yes	20' - 26'
Clinton	No	
Layton	Yes	33'
		26'
		24'

Number of units / Or Locations

2-5 SFD

6-10 SFD

11 - 20 SFD

MFD

R-10, R-14, R-18, NC, MU, RC, OW, I, ML, BP,
PC, and IC

R-5, R-6, R-10, R-14, R-18, NC, MU, RC, OW, I,
ML, BP, PC, and IC Zones

A, RA-5, R-1, and RR Zones

3 or few lots

Private Drive/Alleyways 2+ lots

Almost all development, no parking if under
26'

Private Cross section where primary through
access isn't needed

Drives and Alleys

if buildings are fire sprinkled

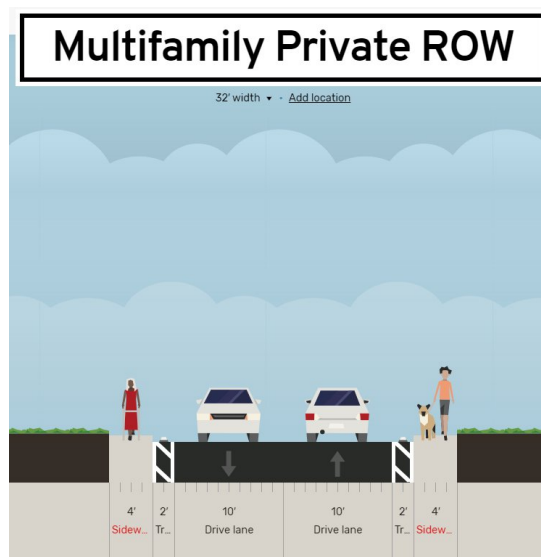
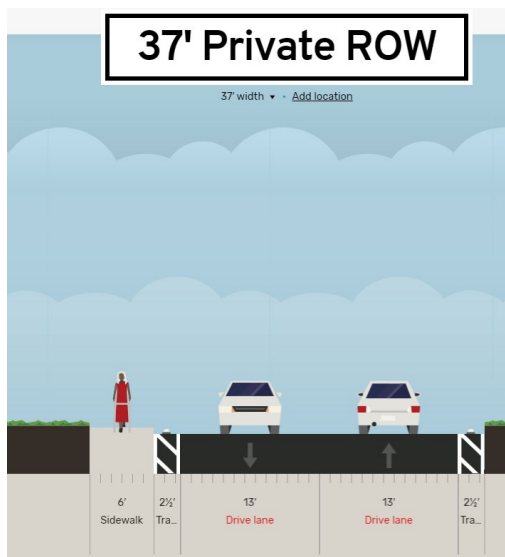
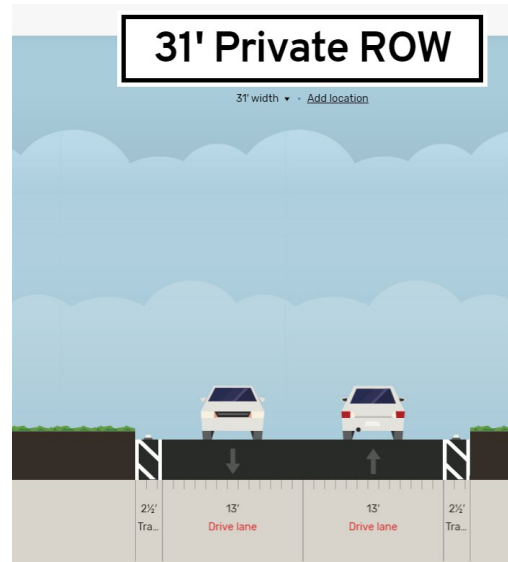
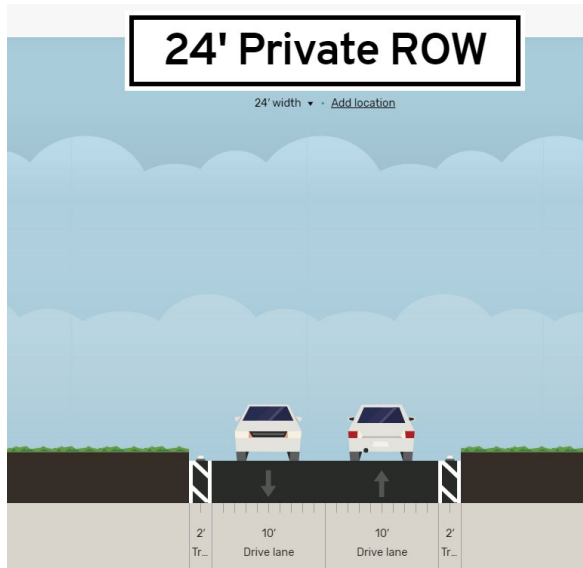
Private Street Standards

Table

City / Community	Private Roads Allowed?	Private Street ROW	Number of units
Draper	Yes	24'	2-5 SFD
		31'	6-10 SFD
		37'	11 - 20 SFD
		At least 20' of pavement and 4' sidewalks on both Sides of Street	MFD
Payson	No		
Bountiful	No		
Lehi	Yes	Private Alley (For rear loaded garages) 20'	
		Private Street 24' (No Parking)	
		Private Street 28' (Parking on one side)	
Saratoga Springs	Yes	45'	R-10, R-14, R-18, NC, MU, RC, OW, I, ML, BP, PC, and IC
		53'	R-5, R-6, R-10, R-14, R-18, NC, MU, RC, OW, I, ML, BP, PC, and IC Zones
		59'	A, RA-5, R-1, and RR Zones
Nibley	Yes	32' - 36'	3 or few lots
		20'	Private Drive/Alleyways 2+ lots
Midvale	Yes	35'	
Holladay	Yes	20' - 26'	Almost all development, no parking if under 26'
Clinton	No		
Layton	Yes	33'	Private Cross section where primary through access isn't needed
		26'	Drives and Alleys
		24'	if buildings are fire sprinkled

Draper Utah

- Pavement area is at least 20' wide, exclusive of Curbs, Gutter, or Sidewalk



Payson

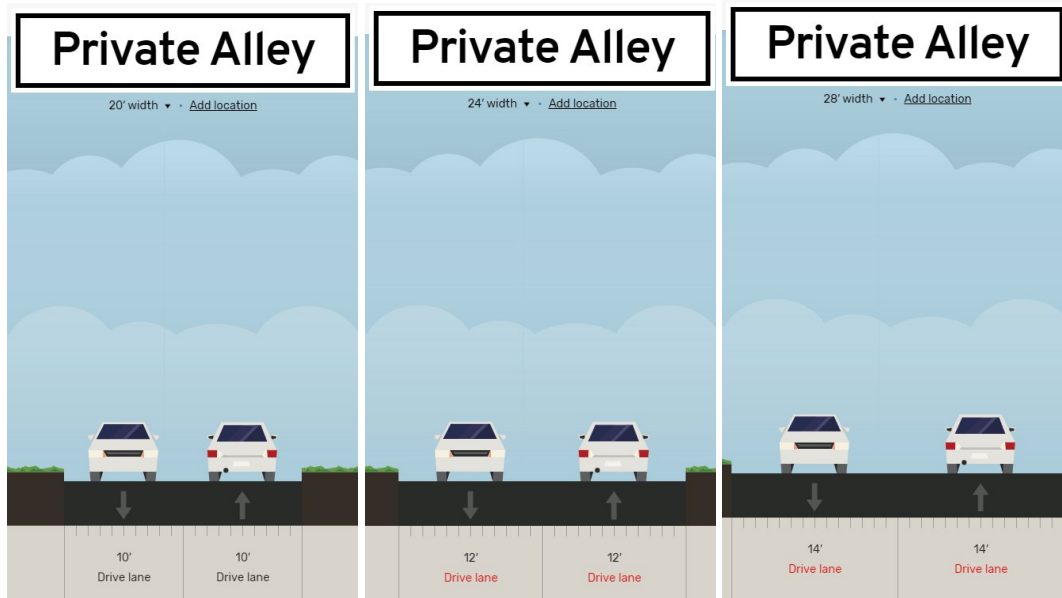
- Not Allowed

Bountiful

- Not Allowed

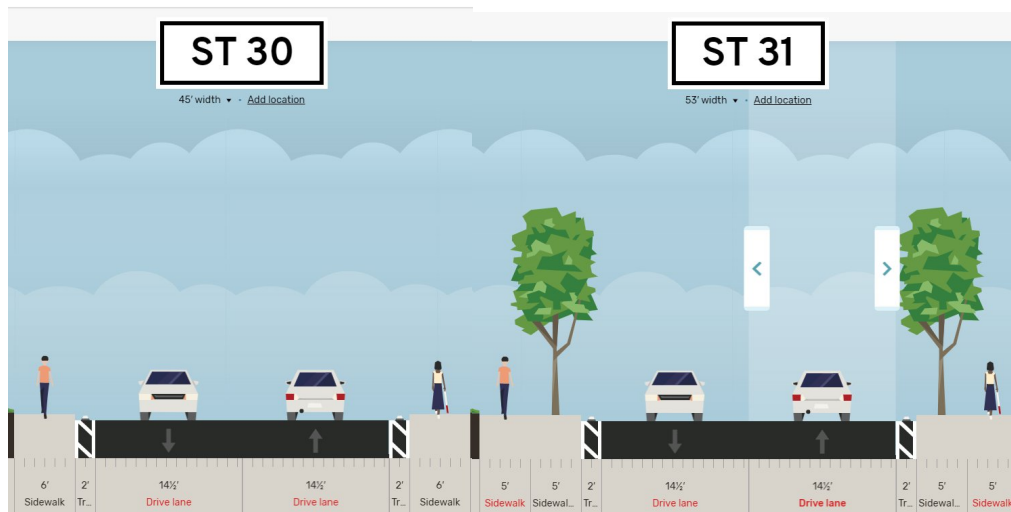
Lehi

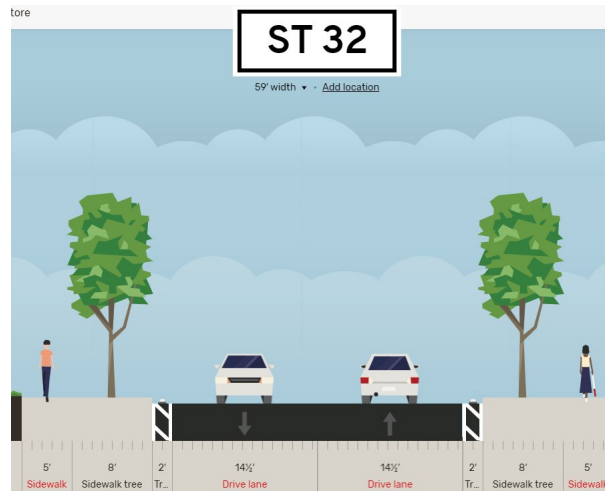
- Private Alleys to access rear-loaded Garages: 20' of driving Surface
- Private Streets with no parking: 24' of driving surface with sidewalks next to all front doors
- Private Streets with parking on one side of the Road: 28' of driving surface with sidewalks next to all front doors



Saratoga Springs

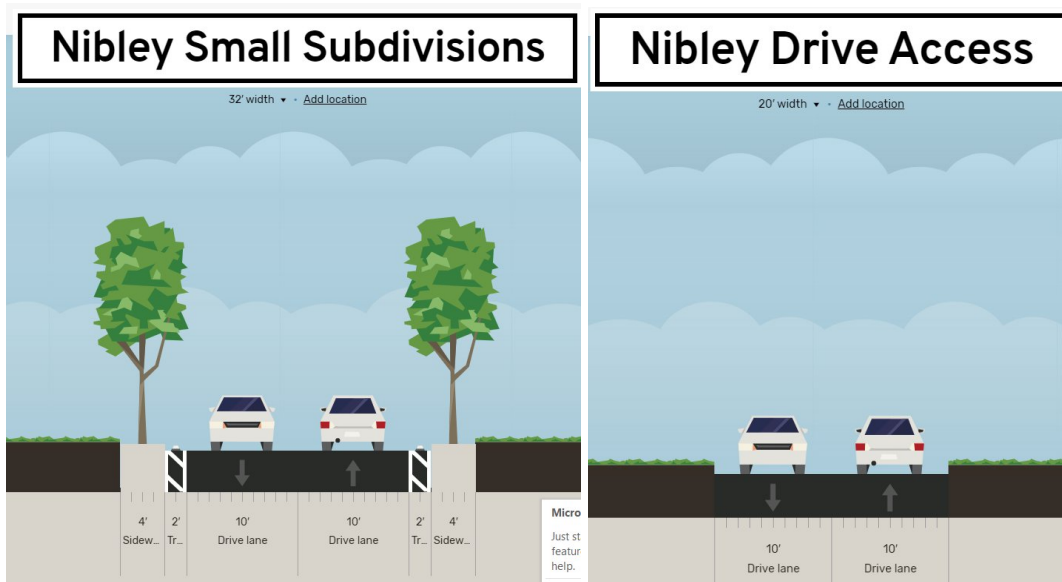
- 45' in R-10, R-14, R-18, NC, MU, RC, OW, I, ML, BP, PC, and IC Zones (ST 30)
- 53' in R-5, R-6, R-10, R-14, R-18, NC, MU, RC, OW, I, ML, BP, PC, and IC Zones (ST 31)
- 59' in A, RA-5, R-1, and RR Zones (ST 32)





Nibley

- Subdivisions 3 or fewer lots: 20' of asphalt, with 2 foot shoulder and 4 to 6 foot swales
- Private Drives / Alleyways: 20' of asphalt



Midvale

- *Private Streets.* The applicant may propose private streets within the subdivision so long as the proposed street(s) include a right-of-way width of thirty-five feet, with twenty feet of pavement installed to city specifications and fire code, two and one-half feet of curb and gutter on each side and either a five-foot sidewalk adjacent to the curb on both sides or a four-foot sidewalk and a five-foot park strip on one side.



Holladay

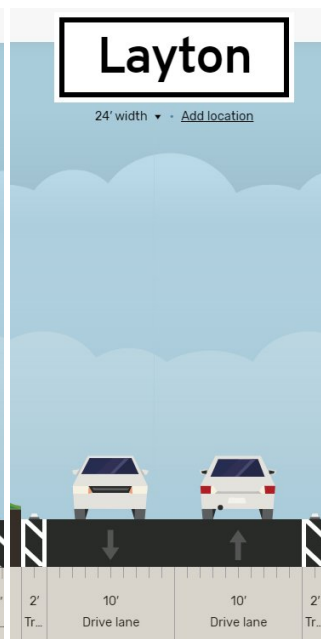
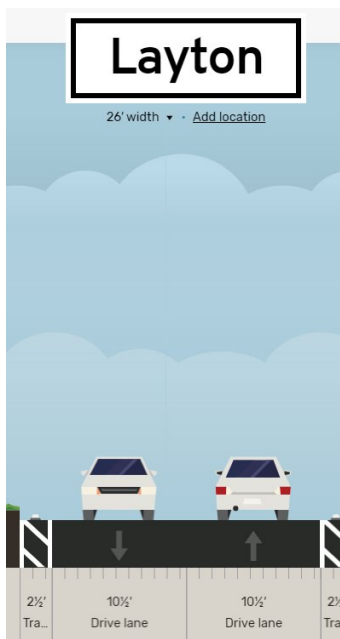
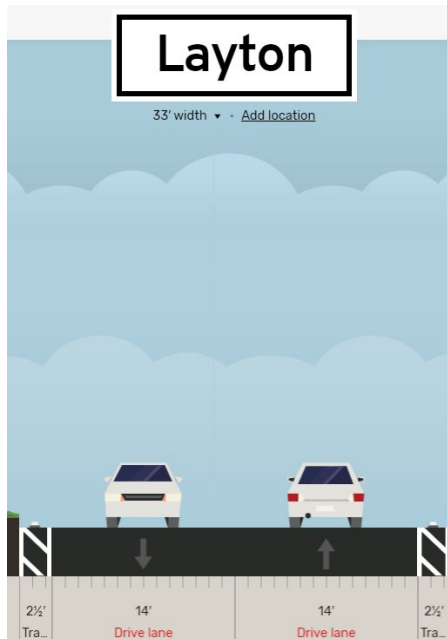
- 20' of Pavement is required
- No Parking on ROW under 26'

Clinton

- Not Allowed

Layton

- 33' if public access isn't needed
- 26' Private Drives and alleys
- 24' if fire sprinkled





**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
MAY 25, 2021**

TITLE:	May 11, 2021 Planning Commission Minutes		
ITEM TYPE:	Minutes		
FISCAL IMPACT:			
APPLICANT:	Staff		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Tayler Jensen, Planning

PRESENTED BY:

RECOMMENDATION:

BACKGROUND:

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[PC Minutes 05.11.2021 - DRAFT.pdf](#)



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

May 11, 2021, 5:30 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

5:30 P.M. – Eagle Mountain City Planning Commission Work Session

COMMISSION MEMBERS PRESENT: Jeremy Bergener, Matthew Everett, Christopher Pengra, and Brett Wright. Commissioner Erin Wells was excused.

CITY STAFF PRESENT: Steve Mumford, Assistant City Administrator/Community Development Director; Tayler Jensen, Senior Planner; Jessa Porter, Planner; and Elizabeth Fewkes, Recording Secretary.

Commissioner Wright called the meeting to order at 5:30 p.m.

1. Discussion Items

1.A. DISCUSSION – Residential Zone Livestock Requirements

Senior Planner Tayler Jensen presented the item. The City Council requested staff review the residential zone livestock requirements regarding the allowance on the number of horses. Staff has reviewed the livestock quantity restrictions in other Utah County communities and proposed a potential amendment based upon the research. The current standards prohibit horses on less than an acre lot, unless the Equine Overlay zone has been approved, which allows two horses on a half-acre lot. Four horses are permitted on a one-to-three-acre lot and 12 horses on lots above three acres. A fenced area of 22,000 square feet is required per animal for one to four horses and a setback of 50 feet from the residence or other periodically inhabited buildings. Mr. Jensen reviewed horse requirements for other cities in Utah County. The proposed amendment allows 2 horses per half-acre on lots above one acre. A footnote would be added to state “two horses are allowed if zoned with the Equine Overlay zone in accordance with EMMC 17.52.” Staff also recommends that language be added to clarify how combinations of animal types impact the total allowance. Similar to Bluffdale’s “Combinations of animals are permitted such that the ratio of animals kept does not surpass the total permitted. For example, one horse and one cow would be permitted, but one pig and five sheep would not be permitted.” The number referenced would be revised to reflect the City’s correct count.

Mr. Jensen stated that when the current standards were reviewed, a total limit of animals was discussed but excluded. However, the fencing area per animal requirement limits the total number of animals. Commissioner Everett requested further research regarding the cumulative impacts of the proposed standards.

Commissioner Bergener encouraged residents with concerns regarding the standards to continue to share their feedback with the City. Although the fencing square footage per animal area regulates

animal limits, he concurred it would be wise to consider a cumulative impact to set additional limitations accordingly.

Commissioner Wright advocated for protecting animal rights; however, residents have shared concerns that need to be addressed. He expressed concern regarding the total number of animals allowed under the standards. He cited a footnote to Table 6.10.090, "Exceptions to these standards must be presented by the property owner through an alternative animal management plan to be heard by the planning commission. Approval of the plan by the commission shall be considered a conditional use and shall be subject to all required conditions. If an approved plan is violated or causes situations that become a nuisance to adjoining property owners, the conditional use shall be subject to revocation by the code enforcement or animal control officer." The current exemption option allows the standards to be applied with equity and fairness as residents with lot sizes slightly below the standards or greater than the lot sizes contemplated in the table may request additional animals while permitting increased regulations and oversight of exceptions to the standards through conditional use permits. Due to the ability for residents to apply for a conditional use permit, he feels the current standards are sufficient and an amendment is unnecessary.

Commissioner Everett said he was willing to consider amending the standards to be based upon horses per half-acre rather than acreage ranges with the addition of consideration of the total number of permitted animals. Commissioner Wright countered that should the standards be adjusted to regulate the number of horses per half-acre, similar standards should be applied for other large animals such as buffalo, cattle, and donkeys. Mr. Jensen stated that some cities use a point system, assigning each animal type a point value and set limitations on the total number of points per acre.

Mr. Jensen explained his research indicated that a horse requires two to ten acres to graze per animal; however if the animal is provided food, the recommendation is 4,500 square feet per animal. The current standards exceed those recommendations.

Commissioner Wright inquired regarding the number of residents requesting a change to the standards to determine if it would be appropriate to address the cases with conditional use permits or if the desire and need were sufficient to justify a change to Municipal Code.

Commissioner Bergener supported the point system explained by Mr. Jensen as a mechanism to self-regulate concerns regarding the maximum number of animals permitted per acre. He concurred with Commissioner Wright's assessment that as a mechanism for an exemption exists; only the cumulative issues in the existing standards need to be resolved.

Commissioner Everett stated that he is not opposed to the amendment as contemplated but agrees the maximum number of animals should be considered. If a point system were to be implemented, he would prefer it to be based upon animal size rather than animal species to avoid being overly prescriptive or overlooking a type of animal.

Discussion ensued considering the standard to use to designate animals as small, medium, and large category including potentially using veterinarian definitions.

Legislative Update

The Planning Commission discussed the recent Legislative session.

Mr. Jensen presented State legislative changes that impact the Planning Commission. HB 409 requires Planning Commissioners to complete four hours of annual training including one hour on general powers and duties of the Land Use and Development Management Act (LUDMA), one hour from attending 12 Planning Commission meetings, and two additional hours focused on land use through conferences, seminars, or in-house training. New Commissioners must complete the LUDMA training prior to participating in any meeting.

HB 98 was vetoed; however, it is expected to pass during the upcoming special session. HB 98 Local Building Regulations prohibits building design regulations for single-family, duplex, and townhome units with the following exceptions:

- Historical districts that were established before January 1, 2021. Eagle Mountain City does not have any established historical districts.
- Floodplains set by the Federal Emergency Management Agency. No floodplains have been identified in the City.
- State Wildland Urban Interface requirement.
- Development agreements that were entered into that contain design standards.
- Residential areas developed before 1950. The City does not have any qualifying areas.
- Standards regulating water-efficient landscaping in rear yards.
- Standards regulating defective cladding materials.
- Planned Unit Developments or Overlay Zone granted for increased density or other benefits not available under the zone.
- Standards requiring rear entry garages for townhomes.
- Removing design elements is no longer a menu option that can be used to meet moderate-income housing plan strategies found in SB 34.

HB 82 permits internal accessory dwelling units in all residential zones and prohibits homeowner's associations from restricting internal accessory dwelling units. The City already allows internal accessory dwelling units.

The former Tier Based system would have allowed the City to regulate duplexes, townhomes, and other multifamily developments. Staff has been working on multifamily design standards updates that can still be presented as recommended design standards and can focus the update on condo/apartment design standards.

Mr. Jensen explained the City can enforce standards in existing master development agreements (MDAs). Design standards in future MDAs will likely be a result of benefits granted to the developer in exchange for agreeing to the design standards. Design regulation options include granting additional density in exchange for complying with design standards, reducing park and/or parking requirements for complying with design standards, accelerating the approval process for following design standards, or drafting design guidelines as encouraged recommendations for development. Potential changes to Municipal Code standards include regulating stories, building locations, varied roof planes, horizontal and vertical articulation, road layout/hierarchy, parking

location distribution through developments, pedestrian and auto connections to neighboring developments, garage locations and styles, and shared driveways.

Discussion ensued regarding potential amendments to implement the State requirements.

Commissioner Wright adjourned the work session at 6:33 p.m.

6:30 P.M. – Eagle Mountain City Planning Commission Policy Session

Commissioner Wright called the meeting to order at 6:40 p.m.

2. Pledge of Allegiance

Assistant City Administrator/Community Development Director Steve Mumford led the Pledge of Allegiance.

3. Declaration of Conflicts of Interest

None.

4. Approval of Meeting Minutes

4.A. April 13, 2021, Planning Commission Minutes

MOTION: *Commissioner Bergener moved to approve the April 13, 2021 minutes. Commissioner Everett seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, and Brett Wright. The motion passed with a unanimous vote.*

5. Status Report

Mr. Mumford reviewed the planning items discussed and voted upon at the May 4, 2021 City Council meeting.

6. Action and Advisory Items

6.A. PUBLIC HEARING – A to Z Building Blocks (Site Plan)

This item was removed from the agenda at the request of the applicant.

6.B. PUBLIC HEARING – Hidden Hollow Phase C (Preliminary Plat & Site Plan)

Mr. Mumford presented the item. The Planning Commission discussed and held a public hearing on January 12, 2021 and voted 4 to 0 to table the item to a future meeting with direction to the applicant to work with staff to bring the application into compliance with Municipal Code. The applicant met with the Planning Commission on February 9, 2021 and the City Council in March

to obtain feedback mainly related to density vesting. After receiving feedback from the Planning Commission and Council, the applicant agreed to return to the Planning Commission with a site plan and preliminary plat responding to the provided feedback.

The updated proposal includes the same number of units with 86 townhomes and 48 single-family units for a total of 134 units. The townhome area has been redesigned and minor adjustments were made to the lots. The large gravel trailhead parking lot was added within the utility corridor as an amenity. The City is working with an appraiser to receive an updated appraisal of the 1.5-acre, City-owned property being considered as a part of the project.

The property was zoned Village Core as a part of The Ranches Master Development Plan and Agreement (MDA/MDP) and designated with 20-acres of commercial and 1,002 residential units. The Village Core allowed for multifamily uses but did not provide for a specific density associated with those uses, because the density was established through the Ranches MDA which expired in March 2018. The preliminary plat for Hidden Valley North was approved on May 9, 2006. Preliminary plats and site plans were approved that replaced portions of the 2006 plat including Hidden Hollow Elementary School which opened in 2006, Hidden Hollow Phase A Preliminary Plat for 34 single-family lots approved November 18, 2014, Hidden Hollow Phase B Preliminary Plat and Site Plan for 17 single-family lots and 54 townhomes approved September 4, 2018, and Juniper Springs Preliminary Plat for 84 townhomes approved September 18, 2018, resulting in a total of 51 single-family lots, 138 townhomes, and one elementary school.

Phase C of Hidden Valley North included 300 condominiums and 60 townhomes. The applicant has chosen to reduce the density by over 60% and is proposing a total of 134 lots consisting of 48 single-family lots and 86 townhomes. Conceptual discussions were held concerning amenities in Phase C at the Phase B meetings. The amenity worksheet and concept portion of Phase C was included in the meeting documents. No approval was given to Phase C at the time because it was not a part of the site plan or preliminary plat for Phase B.

Commissioner Pengra joined the meeting at 6:53 p.m.

Due to topography, the applicant has worked with staff to redirect a future extension of a 94-foot-wide collector road to avoid steep terrain resulting in a 1.5-acre property between the road, hillside, and Phase C development. The applicant has requested to buy the property and add it to the plat for Phase C. The City Council will need to approve an agreement to sell the property in addition to the project's approval. Road considerations include improving a portion of Hidden Valley Parkway and grading the remainder of the right-of-way for the future expansion, ensuring drainage flow is directed to the existing drainage channel leading to the detention area, and reducing the future cost to the City of grading for the expansion.

The project is required to have 3.07 acres of improved open space and 307 amenity points. The proposal includes approximately 3.1 acres of improved open space: 2.75 acres within the utility corridor that will be dedicated to the City and improved with a large gravel trailhead parking lot, and an additional 35 plus acres of hillside open space to be dedicated to the City that includes trails to the north, northwest, and south of this project. Upon completion of this last phase, the developer will have provided a 20-stall, paved parking area, a 60-stall gravel parking area with a restroom

and trailhead signs, and a 2.5-acre gravel parking area that provides approximately 66 parking stalls and 13 larger trailer stalls. For amenities, the Phase C proposal includes a lighted pickleball court, a playground, a pavilion, trees, benches, and trails. The pickleball court, playground, and park amenities will be available for the townhomes and the homes in both Phase B and Phase C. EMMC 17.25.050(L) requires all multifamily developments to include a clubhouse and swimming pool. Following the City Council's feedback, the applicant is now proposing a clubhouse and pool that comply with the requirements. This amenity will be available to all 140 townhome residents in both Phase B and Phase C. EMMC 17.55.120(C) requires two stalls per townhome unit not in a tandem configuration, plus one guest parking space per three dwelling units. The project is required to have 29 stalls and the applicant has provided 34 stalls.

A slope analysis map was provided with the previous submittal showing that the steepest lots averaged 17.5% slope. The developer will be constructing a section of mountain bike trail behind the single-family lots, to replace the trail that will be removed by the lots, and will be installing a cutoff ditch along the trail directing the water to the west where the existing drainage is located. The applicant designed these townhome units in 2018 for the Phase B project, desiring to and relying on being able to construct the same units in Phase C as were approved in Phase B. The applicant proposes a gray, faux wood-grain composite fence similar to fencing used in other areas of the City.

Staff recommends that the Planning Commission recommend approval of the Hidden Hollow Phase C preliminary plat and site plan with the following conditions:

1. This project is contingent upon the sale/purchase of the 1.5-acres of City property at fair market value, based upon a new appraisal. The applicant shall be reimbursed the cost of the large gravel parking lot, once completed;
2. The garage sizes shall comply with EMMC 17.25.050 (C);
3. No blasting shall be permitted within Phase C development;
4. The cluster mailboxes shall be located adjacent to the park, near the parking stalls;
5. The 30 plus acres of open space near the project shall be dedicated to the City with the first recorded plat for this project;
6. Retaining walls shall be stepped to not exceed five feet high and shall include at least five horizontal feet between walls;
7. The developer shall grade and prepare the entire Hidden Valley Parkway right-of-way for future expansion, including providing a method to direct the stormwater to the existing retention basin;
8. Additional architectural detailing shall be provided on the townhomes in order to comply with EMMC 17.72.040 (E)(2); and
9. The applicant shall obtain approval from Kern River Gas, and provide it to the City, and coordinate with them during construction of the gravel parking lot within the utility corridor.

Mr. Mumford clarified that Municipal Code standards exclude a specific height for retaining walls; however, staff has worked with developers at the direction of the City Council to limit retaining walls to five feet high. Also obtaining approval from Rocky Mountain Power for the gravel parking lot located within the utility corridor was inadvertently excluded from the staff recommendations and should also be included as a condition of approval.

Commissioner Wright expressed concern regarding the frontage width of several of the lots, side elevations not meeting the mixed materials requirements, the prominence of the front-loaded garages, and the 40-foot-wide private roads.

Mr. Mumford stated lots 94 and 109 through 116 have frontages below the 58-foot requirement; however, the RC zone standards permit a 20-foot frontage for homes in a cul-de-sac or circle.

Applicant representative Ryan Bybee confirmed that he understood and had no concerns with the staff recommendations. During the approval of Phase B, they added an additional material to the side elevations. The project engineer designed the private roads and determined the widths.

Commissioner Wright opened the public hearing at 7:16 p.m.

Evan Lund submitted the following public comment, “Why are we building so many town homes? Do we want a transient community? Last question Can we build more single family homes? Last of all if there are town homes behind my home can the builder please install a fence between the single family homes. I oppose all the town home and condo building that is to many people in the location.”

Commissioner Wright closed the public hearing at 7:17 p.m.

Mr. Bybee explained the townhomes in this development only abut single-family homes in the development that are not yet built. He said they are required to install fencing along the arterial roadways, and he is willing to consider but not commit to installing fencing between the single-family and townhomes in Phase C.

Commissioner Pengra said in his opinion the lots with shorter frontage widths qualify for meeting the circle frontage width reduction.

Commissioner Wright feels the lot frontages are a gray area. He is concerned with the road widths creating parking issues in the densest portion of the development and would prefer for the streets to be 53-foot public roads.

Commissioner Everett thanked the applicant for providing wider garages as required in current standards. He said he was disturbed with the line from the staff report in the packet materials “the feedback from the City Council, however, was that they prefer front-loaded garages.” He believes the City should either enforce Municipal Code or amend the standards. He cited EMMC 17.72.030(C) “Multifamily Parking/Garages. Garages and parking areas should be placed to the rear of buildings, accessed by a service drive. Service drives must meet all fire access requirements found in the fire code, or as required by the fire marshal. Units accessed via rear service drive shall have a man door on the garage side of the unit, and be addressed off the service drive. If garages are placed on the front facade, they *shall* be staggered and set back so as to minimize their appearance from the street. Garages shall *never* dominate the street-facing facade of a building.” (*Emphasis added.*) In his opinion, the elevations presented do not meet the garage standard requirements. Individual opinion regarding Municipal Code is irrelevant. The purview of the

Planning Commission is to apply the standards as written. For those reasons, he will vote against the proposal and beseeched the other Commissioners to likewise vote against the item.

Commissioner Wright cited EMMC 17.72.040(H) “Multifamily Garage Doors. Garage doors shall not be the most prominent or visible feature on a building. They shall be accessed from the side or rear, or set back from the front facade. If garages are visible from the street, white doors are discouraged. Decorative doors are encouraged.” Based upon his interpretation of this section of Municipal Code, front-loaded garages are permitted on townhomes, if they adhere to these specifications.

Commissioner Everett concurred that the standards allow a front-loaded product in some circumstances. He noted that EMMC 17.72.030 “garages and parking areas should be placed to the rear of buildings” and “if garages are placed on the front facade, they shall be staggered and set back.” The “staggered” and “set back” requirements are similar to the requirements in EMMC 17.72.040(H). Although the garage doors proposed are not white, the front doors are set back farther than the garages and thus in his assessment are not compliant with the standards to permit front-loaded garages.

Discussion ensued regarding concerns with the existing Municipal Code standards regarding rear-loaded garages for multifamily units. The Commission determined the standards should be reviewed and addressed.

Mr. Mumford clarified that EMMC Table 17.60.170(b) requires a 20-foot landscaped area with trees and a wall between multifamily and single-family areas. Some areas in the City back up to common open space areas that exclude the wall. This project is unique because the townhomes and single-family areas are combined into one neighborhood. The only area that would be an issue would be lots 129 through 134.

Commissioner Wright recommended requiring an alternative street standard for the proposed 40-foot private streets.

MOTION: *Commissioner Pengra moved to recommend approval to the City Council of the preliminary plat and site plan for Hidden Hollow Phase C with the following conditions:*

- 1. This project is contingent upon the sale/purchase of the 1.5-acres of City property at fair market value, based upon a new appraisal. The applicant shall be reimbursed the cost of the large gravel parking lot, once completed;*
- 2. The garage sizes shall comply with EMMC 17.25.050 (C);*
- 3. No blasting shall be permitted within the Phase C development;*
- 4. The cluster mailboxes shall be located adjacent to the park, near the parking stalls;*
- 5. The 35 plus acres of open space near the project shall be dedicated to the City with the first recorded plat in this project;*
- 6. Retaining walls shall be stepped to not exceed 5-feet high and shall include at least five horizontal feet between walls*

7. *The developer shall grade and prepare the entire Hidden Valley Parkway right-of-way for future expansion, including providing a method to direct the stormwater to the existing retention basin;*
8. *Additional architectural detailing shall be provided on the townhomes in order to comply with EMMC 17.72.040 (E)(2);*
9. *The applicant shall obtain approval from Kern River Gas and Rocky Mountain Power, and provide it to the City, and coordinate with them during construction of the gravel parking lot within the utility corridor; and*
10. *The applicant shall install a six-foot privacy fence between the townhome products and lots 129 through 134.*

Commissioner Wright stated that he is unable to support the proposed motion due to 40-foot private streets not being contemplated in Municipal Code standards. He feels it would be appropriate to recommend 53-foot public streets. Private streets in other areas of the City have caused traffic flow concerns, especially if the road is used for through-traffic connections to other roadways.

Commissioner Pengra expressed concern that the suggestion would have unforeseen consequences and would likely result in a reduction of the garage sizes. He is less concerned with the layout of this project due to the lack of street parking.

Mr. Mumford verified the Fire Marshal has reviewed the proposal and did not have concerns with the private roadways' 40-foot width. All the approved townhome projects within the City contain private streets and this is common in other cities as well; however, Municipal Code standards have not been created to govern private street widths.

Commissioner Bergener seconded the motion. Those voting aye: Jeremy Bergener and Christopher Pengra. Those voting nay: Matthew Everett and Brett Wright. The motion failed with a vote of 2:2.

MOTION: *Commissioner Everett moved to recommend denial to the City Council of the preliminary plat and site plan for Hidden Hollow Phase C as it does not comply with EMMC 17.72.030 and 17.72.040. Motion failed for lack of a second.*

MOTION: *Commissioner Wright moved to recommend approval to the City Council of the preliminary plat and site plan for Hidden Hollow Phase C with the following conditions:*

1. *This project is contingent upon the sale/purchase of the 1.5-acres of City property at fair market value, based upon a new appraisal. The applicant shall be reimbursed the cost of the large gravel parking lot, once completed;*
2. *The garage sizes shall comply with EMMC 17.25.050 (C);*
3. *No blasting shall be permitted within this Phase C development;*

- 4. The cluster mailboxes shall be located adjacent to the park, near the parking stalls;*
 - 5. The 35 plus acres of open space near the project shall be dedicated to the City with the first recorded plat in this project;*
 - 6. Retaining walls shall be stepped to not exceed 5-feet high and shall include at least five horizontal feet between walls*
 - 7. The developer shall grade and prepare the entire Hidden Valley Parkway right-of-way for future expansion, including providing a method to direct the stormwater to the existing retention basin;*
 - 8. Additional architectural detailing shall be provided on the townhomes in order to comply with EMMC 17.72.040 (E)(2);*
 - 9. The applicant shall obtain approval from Kern River Gas and Rocky Mountain Power, and provide it to the City, and coordinate with them during construction of the gravel parking lot within the utility corridor;*
 - 10. The applicant shall install a six-foot privacy fence between the townhome products and lots 129 through 134; and*
 - 11. The private roads shall be converted to 53-foot public rights-of-way.*
- Commissioner Pengra seconded the motion. Those voting aye: Jeremy Bergener, Christopher Pengra, and Brett Wright. Those voting nay: Matthew Everett. The motion carried with a vote of 3:1.*

Commissioner Everett clarified that his dissent was due to the application not complying with his interpretation of EMMC 17.72.030 and 17.72.040.

Commissioner Pengra stated that he respects and agrees with Commissioner Everett's opinion. He stated that in the future, he would also vote against applications not compliant with the multifamily garage standards and requested for staff to address the sections of Municipal Code with issues. He stated that he is in favor of allowing a front-loaded product.

Commissioner Wright concurred with Commissioners Everett and Pengra. He requested for staff to prepare an amendment and supported permitting a front-loaded product.

6.C. White Hills Country Estates Lot Split (Concept Plan)

Planner Jessa Porter presented the item. This concept plan is for a potential lot split of about 5.5 acres located west of Wride Memorial Highway on Stagecoach Drive. The lot split will create one lot of about 2.3 acres and a second lot of about 3.16 acres. The property was annexed into the City as a part of the Pole Canyon Development area in 2010. While the parcel is located in the Pole Canyon area, the parcel is not a part nor subject to the Pole Canyon MDA.

In the General Plan, the area is identified as Agricultural Rural Density Two, which has a range of half to 2.5 acre lots. Per EMMC 17.25.20 and 17.60.160, possible zoning districts include RD1 with a minimum lot size of one acre and RD2 with a minimum lot size of a half-acre. Staff recommends the applicant consider applying to rezone to RD1 or RD2 based on the General Plan land use designation. The applicant is advised to follow the process and application for a recorded

plat amendment and rezone request. Both lots would have direct frontage and access onto the existing Stagecoach Drive. The concept plan was reviewed at the April 13, 2021 Development Review Committee meeting with feedback regarding utility stubs, particularly water, that will need to be provided to the new lot.

The Commission and staff recommended for the applicant to apply for a General Plan and zone amendment simultaneously.

Commissioners Wright, Bergener, and Everett stated they are likely to support a rezone to allow the division of the property.

6.D. PUBLIC HEARING – Pole Canyon NPA-17 (Master Development Plan, Rezone, General Plan Amendment, Preliminary Plat)

This item was removed from the agenda at the request of the applicant.

6.E. PUBLIC HEARING – Community Mailboxes (Development Code Amendment)

Mr. Jensen presented the item. The United States Postal Service (USPS) requires community mailboxes for all new residential developments. Municipal Code only requires locations to be approved by the USPS resulting in residents impeding traffic with their vehicles due to stopping at the mailbox location. The purpose of the amendment is to guide community mailbox placement to meet USPS requirements, provide mailboxes within close walking distance of all units, and prevent the blocking of travel lanes.

Proposed changes to Municipal Code adding 16.35.150 Community Mailboxes:

- A. General Requirements. Community mailboxes are typically required for all new residential developments. Community mailboxes may be located along special mailbox pullouts or in community open spaces. Any new Community Mailbox must be in compliance with the standards in this chapter. Community mailbox locations shall be approved by the Eagle Mountain Community Development Director, his or her designee, and the US Postal Service.
- B. Community Mailbox Spacing Standards. All homes shall be located within one-quarter of a mile (¼ mile) (1,320 Feet), measured along normal walking paths/routes. (Sidewalks, Pedestrian Paths, and trails)
- C. Community Mailbox Locations. Community mailboxes shall be located:
 - a. Adjacent to a local street modified with a mailbox pullout in accordance with this title.
 - b. Adjacent to a private street with special mailbox pullout in compliance with this title; or
 - c. In a community open space
 - i. Community open space mailboxes shall provide at least 4 off-street parking stalls adjacent to the mailbox.
 - ii. Community Open Space mailboxes shall be located adjacent to a public or private ROW.
- D. Mailbox pullout design standards

- a. Local ROW pullouts.
 - i. Community mailboxes are to be placed adjacent to a local street, the street shall utilize the modified local street with mailbox pullout, as defined in this title, for either seventy-eight feet (78') or one hundred and four feet (104') (3 or 4 Parallel parking spots). Mailbox shall be located near the center point of the pullout adjacent to the right of way, if located on private property a public access easement shall be granted over the mailbox location.
 - ii. Modified mailbox pullout streets shall replace the 4' emergency lane and 5' parkstrip with additional pavement to serve as a pullout/parallel parking location.
 - iii. Modified "mountable" curb and gutter shall be continued in line with curb and gutter on either side of the modified ROW, with parking lane being above the street level.
- b. Private road mailbox pullouts.
 - i. Shall include an additional nine feet (9') of pavement adjacent to the drive aisle for a minimum of seventy-eight feet (78') to serve as a Mailbox pullout.
- c. All mailbox pullout parking spots shall be striped.
- d. All Mailbox parking spots shall be signed as 5-minute parking zones, unless located inside a community open space.

Staff recommends the Planning Commission recommend approval of the proposed amendments to EMMC 16.35 to the City Council as presented or with changes as agreed upon at the meeting.

Commissioner Pengra inquired regarding mailbox design standards. Mr. Jensen explained that amendments to the design standards are on hold until the State legislative changes are implemented and will be addressed in the future.

Commissioner Wright requested to amend the proposed verbiage to reflect the enumeration style found in current Municipal Code standards and for coloration to be added to the right-of-way diagram. He inquired if the mailboxes should be allowed to be located on private streets.

Mr. Jensen said that as most multifamily developments include private roads, requiring the community mailbox to be located on a public street could result in the mailboxes being located a significant distance from the homes.

Commissioner Wright opened the public hearing at 8:16 p.m. No comments were submitted to the City Recorder's Office and no public was in attendance to make comment. As there were no comments, Commissioner Wright closed the hearing.

MOTION: *Commissioner Bergener moved to recommend approval to the City Council of an amendment to Eagle Mountain Municipal Code Chapter 16.35 Community Mailboxes with the following conditions:*

- 1. The enumeration of the proposed chapter shall be amended to match the lettering and numbering style of other Municipal Code chapters; and*

2. Coloration shall be added to the right-of-way diagram included in the chapter.

Commissioner Wright seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, and Brett Wright. The motion passed with a unanimous vote.

7. Discussion Items

Commissioner Wright requested for rear-loaded garages and mailbox design standards to be reviewed by staff and included on the agenda of a future meeting.

Commissioner Pengra suggested discussing prohibiting private roads due to on-street parking and traffic flow concerns. Commissioner Wright concurred and stated that other cities have prohibited private streets in multifamily developments.

Mr. Mumford explained that staff had delayed an amendment regarding rear-loading garages to ensure the standards are compliant with State requirements under review. Staff will research private roads in multifamily developments. He noted that in developments with front-loaded garages few opportunities exist to accommodate street parking and should be a consideration in the amendment.

8. Next scheduled meeting

The next meeting is scheduled for May 25, 2021.

9. Adjournment

MOTION: ***Commissioner Everett moved to adjourn the meeting at 8:23 p.m. Commissioner Pengra seconded the motion. Those voting aye: Jeremy Bergener, Matthew Everett, Christopher Pengra, and Brett Wright. The motion passed with a unanimous vote.***

The meeting was adjourned at 8:23 p.m.

Approved by the Planning Commission on May 25, 2021.

Steve Mumford, AICP
Assistant City Administrator/Community Development Director



**EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
MAY 25, 2021**

TITLE:	PUBLIC HEARING - A to Z Building Blocks (Site Plan)
ITEM TYPE:	Site Plan
APPLICANT:	A to Z Building Blocks (Jody Zabriskie)

ACTION ITEM:

Yes

PUBLIC HEARING:

Yes

PREPARED BY:

Tayler Jensen, Planning

BACKGROUND:

On January 21st 2020 the Eagle Mountain City Council approved the Parkway Crossroads Mixed Use site plan and the sale of parcel 58:040:0191, this action created a new development parcel and brought the property under the utility easement into private ownership, for the purpose of providing parking and open space for the Parkway Crossroads project.

ITEMS FOR CONSIDERATION:

This proposal is to increase the size of the existing A to Z Building Blocks location and to relocate the playground. A to Z is located within the Parkway Crossroads development which is zoned "Village Core", village core is a previous zoning district in the City. The future land use designation for this property is "Community Commercial." Child Day Care Centers or Preschools are permitted uses in all commercial zones.

Commercial Design Standards:

The applicant is proposing a two story addition that is 28' tall with a flat metal roof. The proposed addition includes a 3' stone wainscot and 25' of fiber cement board (hardie board) that will match the color of the existing building and windows. The existing portion of the building is a single story, has a 3' stone wainscot and tan colored siding with a cross hipped asphalt shingled roof.

Per **17.72.030 A1** of Eagle Mountain Municipal Code (EMMC) the primary entrance of a building should orient toward the street and sidewalk. The current A to Z building blocks location does not orient toward the public street or sidewalk. The primary entrance to the building is not altered by this development, however, the proposed addition will have a door that opens onto Ranches Parkway, which

will include stacked rock columns and timbers which mirror the primary entrance, with the addition of design elements it is the opinion of staff that the current proposal does **complies** with this standard.

17.72.030 B requires parking to be located to the side or rear of buildings, and not between any commercial building and the street. A to Z currently has parking between the building and Ranches Parkway, the proposed addition would bring the building closer to Ranches Parkway and would move the building slightly closer to the road than the existing parking. As the proposal doesn't add any parking to the parking lot and brings the building closer to the road it is the opinion of staff that the proposal **complies** with this provision.

17.72.040 A requires the building to be similar in style to adjacent buildings. The proposed building utilizes the same stacked stone as the existing building and surrounding buildings, the use of hardie board material will match the siding of the current building while being a more durable material. The nearby Village Pizza is tan stucco, and also has a metal roof. Staff feels by and large the building materials and colors are similar to adjacent buildings, with the exception of the roof line which is completely flat. It is up to the planning commission to determine if this elevations comply with this standard.

17.72.040 B Requires the main entrance of a building to orient to major sidewalks. The main entrance to A to Z is currently existing, this proposal doesn't alter the location of the main entrance.

17.72.040 C States: "The primary roof form of a structure should help reduce the perceived scale of the building. All commercial buildings shall contain either sloping roofs with overhanging eaves, or a decorative parapet and multiple roof planes and heights..." The proposed addition contains a flat roof and only one roof plane, a decorative parapet or tower should be added, or a sloping roof with overhanging eaves should be used to bring the proposal into compliance.

17.72.040 D States: "...Buildings shall include façade modulation (stepping portions of the façade), horizontal and vertical divisions (textures or materials), window patterns, offsets, recesses, projections, varied front setbacks or staggered and jogged unit planes

within the same structure, and other techniques to...avoid large featureless and/or panelized surfaces on commercial buildings." The proposed addition includes a 3' wainscot of stacked stone, timber sheltering elements over entrances, and prefinished awnings over first floor windows, and the use of fiber cement siding over the rest of the building which largely matches the existing building. It is the opinion of staff that the elevations largely comply in providing modulation, while remaining consistent with the existing structure.

17.72.040 E 1 States: "Commercial buildings shall incorporate a majority of the following architectural details: reveals, canopies, awnings, popouts, columns, decorative trim and moldings, architectural lighting, ornamental cornices, decorative masonry pattern, decorative doors and windows, exposed timbers, and trellis structures. All sides of a building shall include the chosen details." The proposed elevations include windows and decorative trim (wainscot), rock columns, and timbers over doors, and the use of awnings. It is the opinion of staff that while the proposal doesn't provide all the features called for by code it matches the existing building's color and materials and should be seen as in compliance.

17.72.40 F 2 States "All commercial buildings shall avoid large panelized products or featureless surfaces. Commercial buildings shall utilize an appropriate mixture of building materials on all sides including brick, rock, fiber/cement siding, wood, glass, stucco and colored CMU. Stucco may not be use on more than 50 percent of a building." The proposed elevations utilize fiber cement siding, awnings, stone wainscot and timber sheltering elements over doors.

17.72.040 G States: "A building's color palette should be similar to that of significant neighboring structures" The proposal **complies** with this provision.

Parking

Per **17.55.120.C** Child Day Care Centers/Preschools require 1 parking stall per staff member plus 1 stall per 10 children. The applicant has indicated they will have 20 staff members and will serve up to 190 children, therefore 39 parking stalls are required.

The project currently provides 17 parking stalls, and utilizes 6 shared parking stalls for 23 existing parking stalls. They are proposing to utilize an additional 16 shared parking spaces from the Parkway

Crossroads development to meet their parking requirements. The additional parking stalls will come from the following locations:

-10 parking stalls are provided from the lot adjacent to Village Pizza. Village Pizza currently provides 18 parking stalls, at 1,800 SF it is required to have 7 parking stalls, by sharing 10 parking stalls it will still have 8 dedicated parking stalls which exceeds minimum parking requirements.

-6 Parking stalls will come from building Pad 1 (The building that houses Six Sisters). This building currently provides 59 parking stalls. The most parking intensive use inside of the building is restaurant uses which require 1 parking stall per 250 sf, even if the entire 10,415 SF building was a restaurant only 42 parking stalls would be required, after sharing 6 parking stalls 53 stalls is still in excess of minimum requirements.

Other Items for Consideration:

Per UFA sidewalks need to be installed from every exit to public ways, and the existing "Supra" box needs to be upgraded to a "Knox" box.

3.5' berms are required between parking locations, and public ROW, currently there is no berm between the parking lot and Ranches Parkway, the applicant is showing the addition of a 3.5' hedge between the parking and Ranches Parkway.

REQUIRED FINDINGS:

Site Plan approvals are based upon compliance with City Code requirements and requirements of any applicable development agreements. The approval criteria for a Site Plan can be found in EMMC 17.100.

RECOMMENDATION:

We recommend that the Planning Commission recommend approval of the site plan to the City Council with the following conditions.

1. A decorative parapet, tower, or sloping roof with overhanging eaves on the addition in compliance with 17.72.040 C
2. Sidewalks need to be installed from every exit to public ways
3. Supra Box needs to be upgraded to a Knox box.
4. Provide an exhibit detailing existing parking provided and required within the Parkway Crossroads project that shows there are at least 22 shared parking stalls able to be utilized by this project.

ATTACHMENTS:

[Playground Design](#)

[Site Plan](#)

[Floor Plan](#)

[Color Elevations](#)

[Existing Building](#)



A to Z Building Blocks

Eagle Mountain, UT

21-4564A

Sales Representative

BIG T RECREATION

Equipment Manufacturer

PLAYWORLD
The world needs play.

POST & COMPONENT	ROTOMOLD PLASTIC	2-COLOR PLASTIC	ECO-ARMOR
Light Gray	Light Gray	Blue-Sand	Blue
White	Blue		
Blue			



A to Z Building Blocks

Eagle Mountain, UT

21-4564A

Sales Representative



Equipment Manufacturer



POST & COMPONENT	ROTOMOLD PLASTIC	2-COLOR PLASTIC	ECO-ARMOR
Light Gray	Light Gray	Blue-Sand	Blue
White	Blue		
Blue			



A to Z Building Blocks

Eagle Mountain, UT

21-4564A

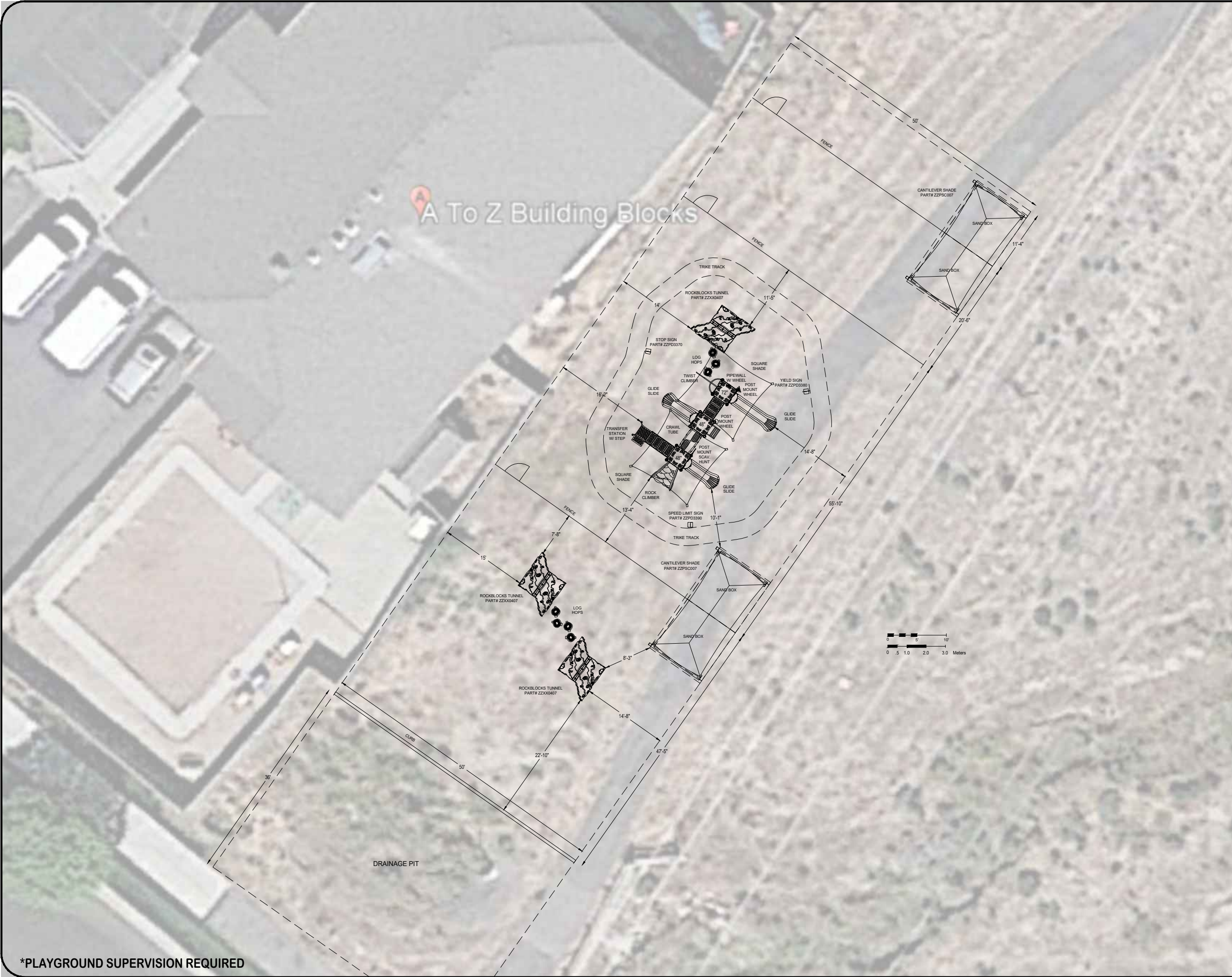
Sales Representative

BIG T RECREATION

Equipment Manufacturer

PLAYWORLD
The world needs play.

POST & COMPONENT	ROTOMOLD PLASTIC	2-COLOR PLASTIC	ECO-ARMOR
Light Gray	Light Gray	Blue-Sand	Blue
White	Blue		
Blue			



*PLAYGROUND SUPERVISION REQUIRED



BIG T RECREATION
11618 S. State Street #1602
Draper, UT 84020

EQUIPMENT SIZE:
25'1" x 34'5" x 17'2"

USE ZONE:
SEE DWG

AREA: SEE DWG PERIMETER: SEE DWG

FALL HEIGHT:
6 Ft.

USER CAPACITY: 65 AGE GROUP: 2-5

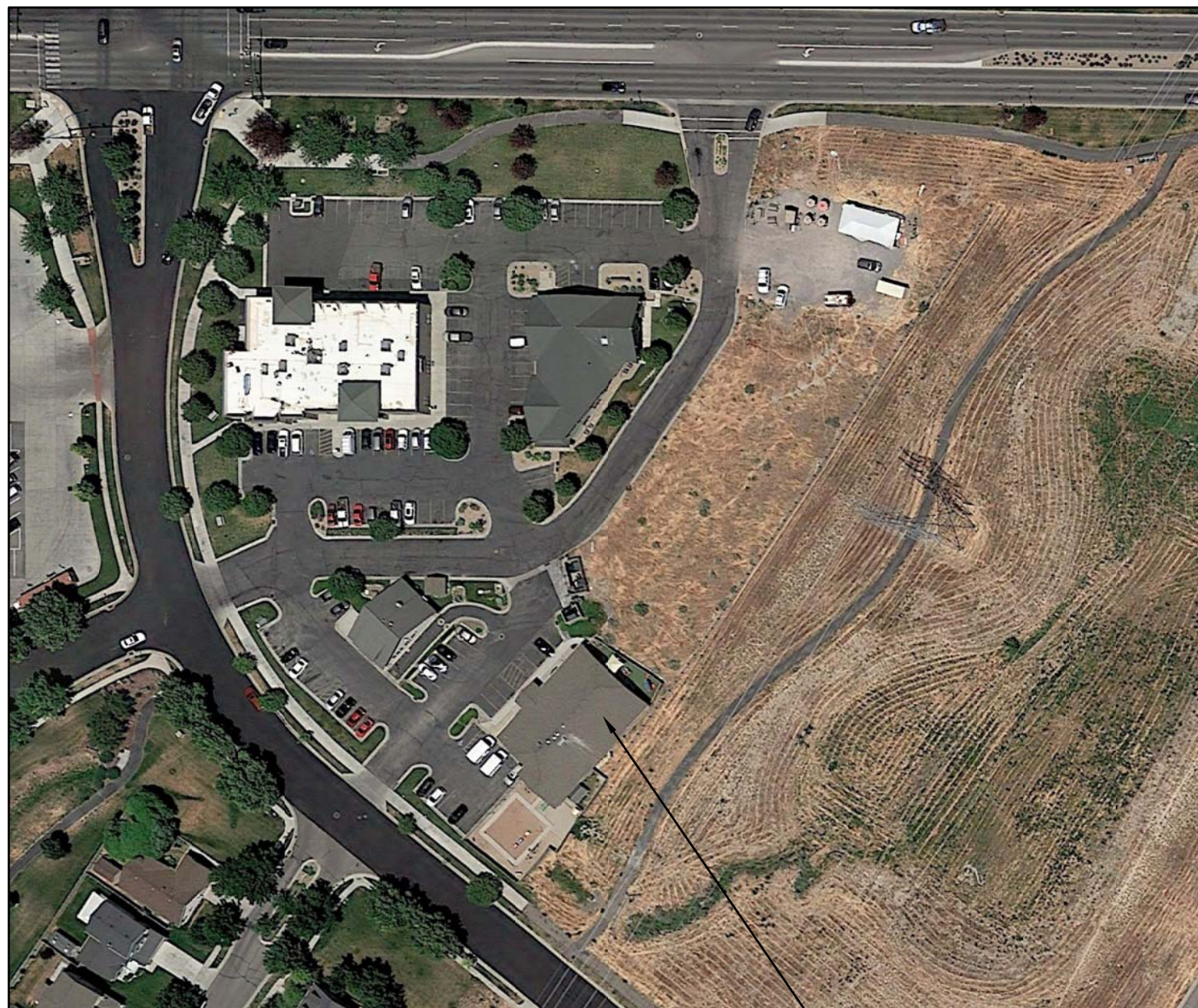
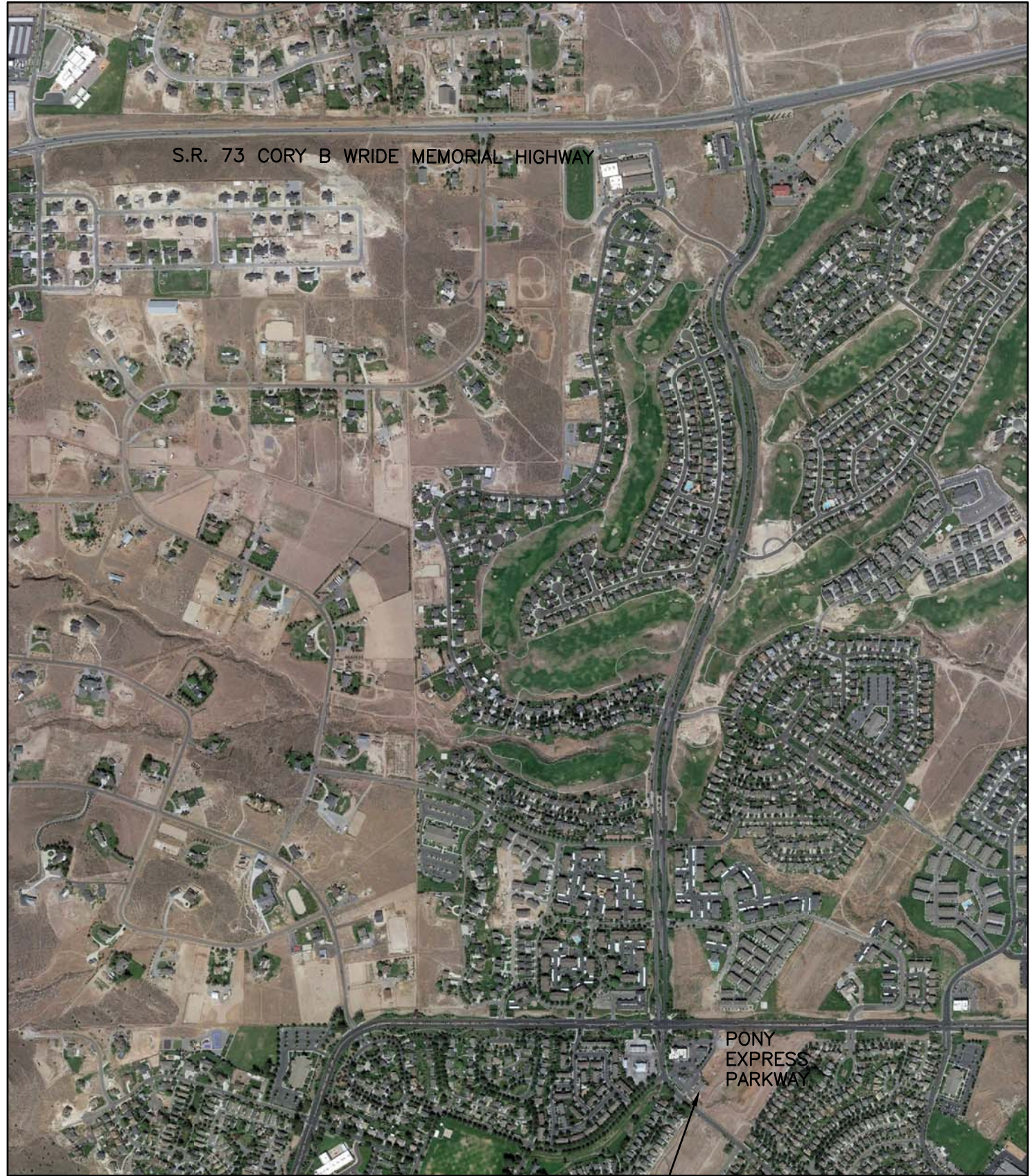
ADA SCHEDULE	Total Elevated Play Activities: 8		
	Total Ground-Level Play Activities: 5		
	Accessible Elevated Activities	Accessible Ground-Level Activities	Accessible Ground-Level Play Types
Required	4	3	3
Provided	8	5	4

- ✓ ASTM F1487-17
- ✓ CPSC #325



PROJECT NO: 21-4564A	SCALE: 1/16"=1'-0"
DRAWN BY: B. MCCAFFERY	Paper Size B
DATE: 12-FEB-2021	

A TO Z BUILDING BLOCKS - EAGLE MOUNTAIN
EAGLE MOUNTAIN, UT



A1
A001

SITE PLAN

SCALE: 1"=20'-0"

S.R. 73 CORY B WRIDE MEMORIAL HIGHWAY

PONY EXPRESS PARKWAY

PONY EXPRESS PARKWAY



LOT 6
PARKWAY CROSSROADS
PLAT A SUBDIVISION

EXISTING
MAIN
ENTRANCE

REPLACE
SUPRA BOX
WITH
KNOX
BOX

LOT 2
PARKWAY CROSSROADS
PLAT A
FIRST AMENDMENT

PROVIDE NEW 3.5' HEDGE

CONNECT
EXIT TO
PUBLIC SIDEWALK

EXISTING BUILDING
FTE = 484.8

ADDITION

EXIT DISCHARGE
(PLAYGROUND)

LOT 1
PARKWAY CROSSROADS PLAT A
FIRST AMENDMENT

EXISTING 6' FENCE

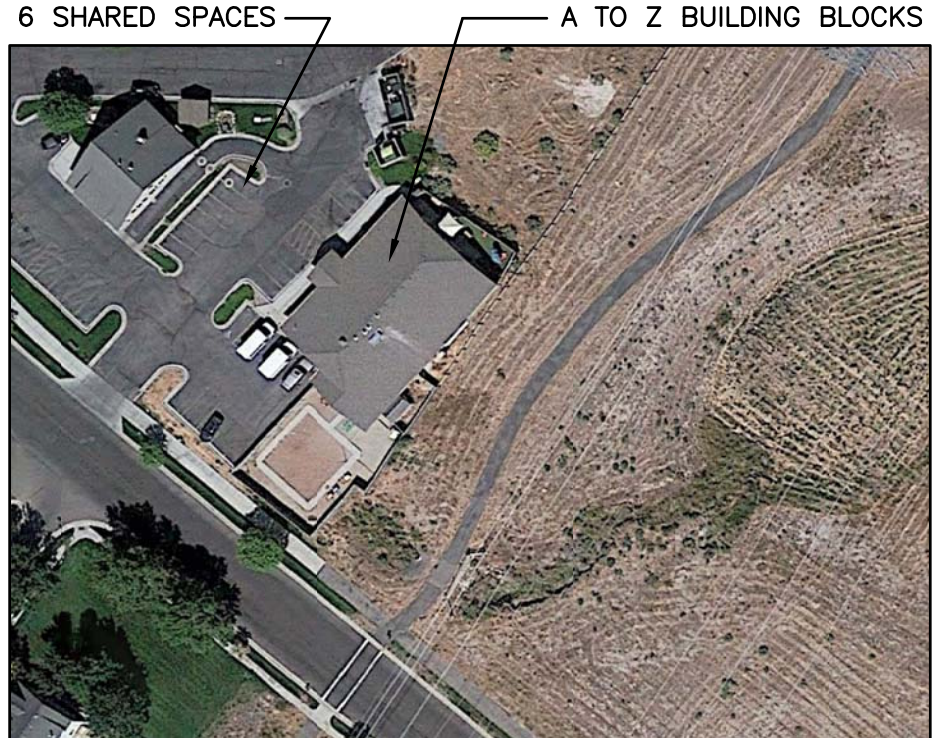
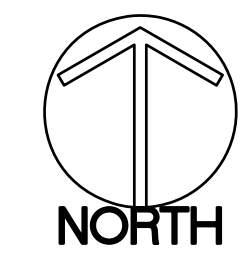
EXIT DISCHARGE
PLAYGROUND

NEW PLAY AREA

BRENT JOHNSON PLAT

PARKING
10 ON SIDE
7 IN FRONT
6 SHARED
23 EXISTING
16 NEW SPACES (SHARED)
39 TOTAL

PARKING REQUIRED
190 CHILDREN
20 STAFF
19 SPACES
20 SPACES
39 TOTAL



8707 SANDY PARKWAY
SANDY, UT 84070
PHONE: 801-542-8090
FAX: 801-542-8093
THE IDEAS AND DESIGN INCORPORATED
HEREIN, ARE AN INSTRUMENT OF PROFESSIONAL
SERVICE, AND IS THE PROPERTY OF ENTELEN,
AND SHALL NOT BE USED IN WHOLE OR PART
ON ANY OTHER PROJECT WITHOUT WRITTEN
AUTHORIZATION FROM ENTELEN - 2009

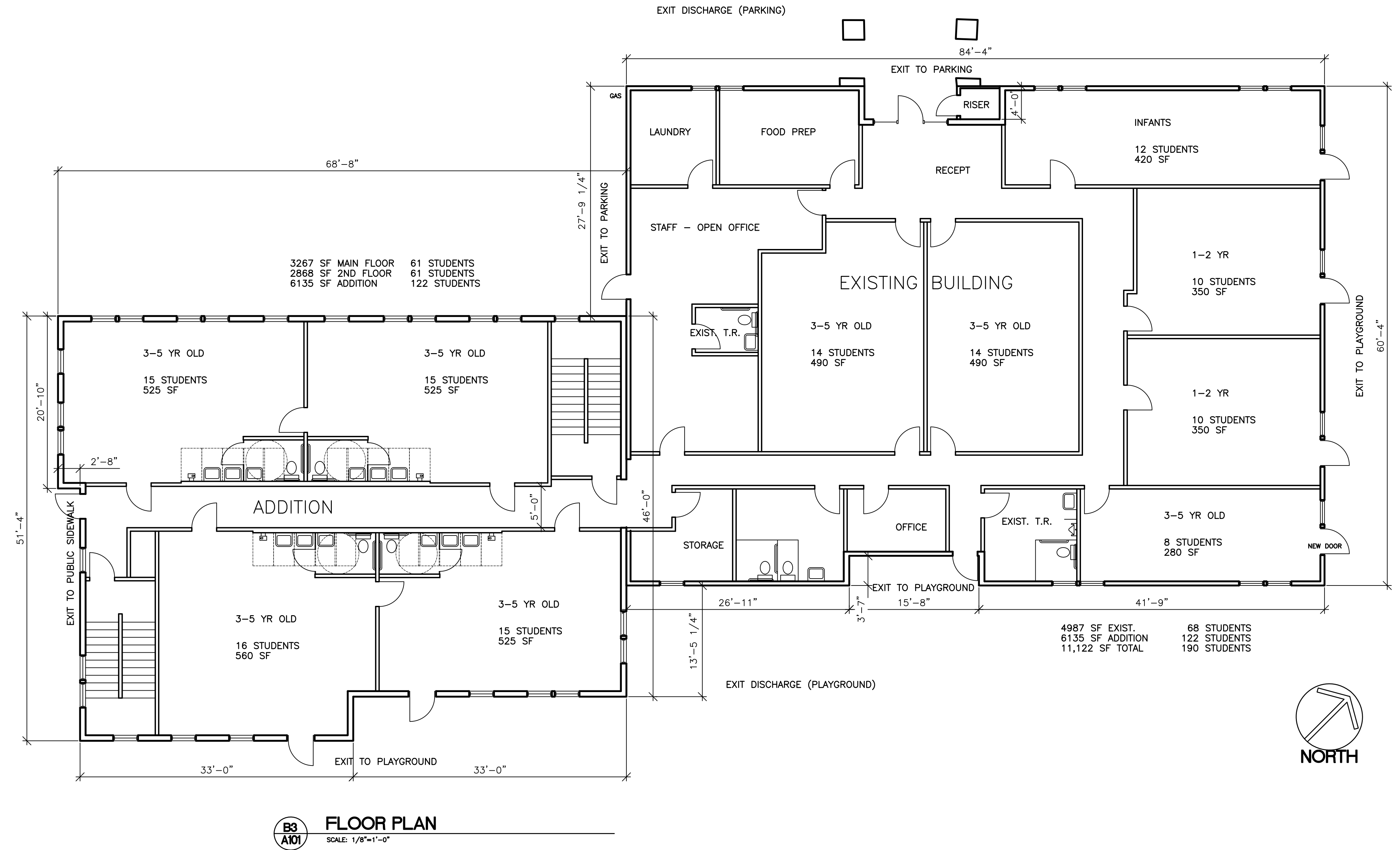
Consultant

No.	Revisions	Date

A TO Z BUILDING BLOCKS
3563 RANCHES PARKWAY
EAGLE MOUNTAIN, UTAH

Project Title
AtoZBB-EM-A001-D123a
Drawn by:
Reviewed by:
Date Issued:
APRIL 23, 2021
Seal

Sheet No.
A001







EAGLE MOUNTAIN CITY
PLANNING COMMISSION MEETING
MAY 25, 2021

TITLE:	Scarlet Ridge Master Development Agreement (MDA)		
ITEM TYPE:	Master Development Agreement		
FISCAL IMPACT:			
APPLICANT:	Ryan Kent (RK Builders)		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Steve Mumford, Planning

PRESENTED BY:

Steve Mumford

RECOMMENDATION:

As required by EMMC 16.10.060, the Planning Commission must review the MDA in a public meeting and provide a recommendation to the City Council.

BACKGROUND:

The Scarlet Ridge Estates Rezone, Master Development Plan, and Preliminary Plat were approved by the City Council on March 2. Those approvals are contingent upon the approval of an MDA, as described in EMMC 16.10. The development is fairly straightforward, and the agreement, drafted by the City Attorney, includes language related to the dedication timing of exterior roads, improvement timing of the roads, and improvement of the stormwater retention basins. The Notices of Decision, that are exhibits to the agreement, contain further details as well. This agreement includes a six-year expiration or terminates automatically at buildout, whichever is first.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

The criteria for approval of an MDA are found in EMMC 16.10.080. Some criteria may not be applicable, as they only apply to more complex developments.

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[Scarlet Ridge MDA draft](#)

[NoD - Rezone and GP Amendment](#)

[NoD - Preliminary Plat](#)

[Preliminary Plat](#)

WHEN RECORDED, RETURN TO:

City Recorder
Eagle Mountain City
1650 E. Stagecoach Run
Eagle Mountain, UT 84005

**MASTER DEVELOPMENT AGREEMENT
FOR
SCARLET RIDGE ESTATES**

THIS MASTER DEVELOPMENT AGREEMENT (this “MDA”) is made and entered as of the last date executed by the parties below (the “**Effective Date**”), by and between **Eagle Mountain City**, a Utah municipal corporation (“**Eagle Mountain**” or “**City**”) and **Scarlet Ridge Partners, LLC**, a Utah limited liability company (“**Developer**”).

RECITALS

- A. Developer owns and is developing the Property as a residential subdivision.
- B. Developer and Eagle Mountain desire that the Property be developed in a unified and consistent fashion pursuant to the Site Plan.
- C. The Parties desire to enter into this MDA to specify the rights and responsibilities of the Developer to develop the Property as expressed in this MDA and the rights and responsibilities of Eagle Mountain to allow and regulate such development pursuant to the requirements of this MDA.
- D. The Parties understand and intend that this MDA is a “development agreement” within the meaning of, and entered into pursuant to the terms of Utah Code Ann. §10-9a-101 (2021) *et seq.*

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Eagle Mountain and Developer hereby agree to the following:

1. Definitions. As used in this MDA, the words and phrases specified below shall have the following meanings:

1.1. **Act** means the Land Use, Development, and Management Act, Utah Code Ann. § 10-9a-101 (2021), *et seq.*

1.2. **Applicant** means a person or entity submitting a Development Application.

1.3. **Buildout** means the completion of all of the development on the entire Project in accordance with the Site Plan / Preliminary Plat.

1.4. **Eagle Mountain** means Eagle Mountain City, a political subdivision of the State of Utah.

1.5. **Eagle Mountain's Future Laws** means the ordinances, policies, standards, and procedures which may be in effect as of a particular time in the future when a Development Application is submitted for a part of the Project and which may or may not be applicable to the Development Application depending upon the provisions of this MDA.

1.6. **Eagle Mountain's Vested Laws** means the ordinances, policies, standards and procedures of Eagle Mountain in effect as of the date of this MDA.

1.7. **Council** means the elected City Council of Eagle Mountain.

1.8. **Default** means a breach of this MDA as specified herein.

1.9. **Development** means the development of a portion of the Property pursuant to an approved Development Application.

1.10. **Development Application** means an application to Eagle Mountain for development of a portion of the Project or any other permit, certificate or other authorization from Eagle Mountain required for development of the Project.

1.11. **Final Plat** means the recordable map or other graphical representation of land prepared in accordance with Utah Code Ann. § 10-9a-603 (2021), or any successor provision, and approved by Eagle Mountain, effectuating a subdivision of any portion of the Project.

1.12. **Developer** means Scarlet Ridge Partners, LLC, and its successors in interest or assignees as permitted by this MDA.

1.13. **Maximum Residential Units** means the development on the Property of One Hundred and Seventy-Six (176) Single Family Residential Dwelling Units.

1.14. **MDA** means this Master Development Agreement including all of its Exhibits.

1.15. **Notice** means any notice to or from any Party to this MDA that is either required or permitted to be given to another party.

1.16. **Notice of Decision** means the Rezone and General Plan Amendment Notice of Decision and the Preliminary Plat Notice of Decision for the Scarlet Ridge Estates, which include certain terms and conditions for development of the Project. A copy of the Notices of Decision is attached hereto as Exhibit C.

1.17. **Party/Parties** means, in the singular, Developer or Eagle Mountain; in the plural Developer and Eagle Mountain.

1.18. **Project** means the Scarlet Ridge Estates project to be constructed on the Property pursuant to this MDA with the associated Public Infrastructure and private facilities, and all of the other aspects approved as part of this MDA.

1.19. **Property** means the approximately 161 acres of real property owned by and to be developed by Developer more fully described in **Exhibit A**.

1.20. **Public Infrastructure** means those elements of infrastructure that are planned to be dedicated to Eagle Mountain or other public entities as a condition of the approval of a Development Application.

1.21. **Residential Dwelling Unit** means a structure or portion thereof designed and intended for use as single-family residences as illustrated on the Site Plan / Preliminary Plat.

1.22. **Site Plan / Preliminary Plat** means the Scarlet Ridge Estates Site Plan / Preliminary Plat for the Project approved by the Eagle Mountain Council, a copy of which is attached hereto as **Exhibit B**. In accordance with the Section 16.20.060 of the Vested Laws, the Site Plan / Preliminary Plat shall expire if (1) a final plat application has not been approved by the city council within two years from the date of approval of the Site Plan / Preliminary Plat by the city council, or (2) a final plat is not approved for any phase of the preliminary plat within two years of the most recent final plat approval.

2. Development of the Project.

2.1. **Compliance with the Site Plan / Preliminary Plat and this MDA.** Development of the Project shall be in accordance with Eagle Mountain's Vested Laws, Eagle Mountain's Future Laws (to the extent they are applicable as specified in this MDA), the Site Plan / Preliminary Plat, the Notice of Decision, and this MDA.

2.2. **Development Requirements.** Eagle Mountain has approved the Site Plan for the Project which shall serve as the preliminary plat. Developer shall construct the Project in accordance with the Site Plan / Preliminary Plat, the Notice of Decision, and any conditions and restrictions imposed by the City Council on the Project as part of the approval process or conditions or restrictions the Developer agreed to as part of the approval process.

2.3. **Detention Basins.** Prior to construction of the detention basins for the Project, Developer shall obtain approval of plans that meet the requirements of Section 15.50.060 of the Vested Laws. As part of the approval, City may require Developer to install drain tiles or other drainage improvements, weed barrier, landscape rock, biograss, or other forms of water-wise landscaping and irrigation system within the detention basins to minimize maintenance.

2.4. **Exterior Road Dedications and Improvements.** Developer shall dedicate to the

City the portions of Tiffany Lane, the exterior road running along the East side of the Project (the “**East Road**”), and the exterior road running along the South side of the Project (the “**South Road**”) together with any final plat that is adjacent to those road sections. For example, if the first plat includes Lot 113 but not any lots to the east (101-112), Developer shall dedicate 38.5 feet for the portion of Tiffany Lane from the western boundary line to the eastern edge of Lot 113. If a final plat contains Lots 101-105, Developer shall dedicate 38.5 feet for the entire length of Tiffany Lane and 26.5 feet for the portion of the East Road from the north boundary line to the southern end of Lot 105. Development phasing shall generally proceed according to the phasing designated on the site plan / preliminary plat, and shall not exclude lots to avoid road improvements or leave large sections of road improvements to later phases. Developer shall construct the portions of the road dedicated to the City, together with any additional asphalt necessary to provide access to the Project. If any section of Tiffany Lane, the East Road, or the South Road is not dedicated to the City and constructed prior to recording of the final subdivision plat for 75% of the lots, Developer shall dedicate any remaining sections of roads and provide improvement completion assurance for the road improvements in conjunction with City subdivision bonding requirements prior to recording any additional final plats. Developer shall improve off-site roads to the project as required by the Fire Marshal, in accordance with the International Fire Code.

3. **Vested Rights.**

3.1. **Vested Rights Granted by Approval of this MDA.** The Parties intend that this MDA grants to Developer all rights to develop the Project in fulfillment of this MDA, Eagle Mountain’s Vested Laws, and the Site Plan / Preliminary Plat except as specifically provided herein. The Parties specifically intend that this MDA grant to Developer the “vested rights” identified herein as that term is construed in Utah’s common law and pursuant to Utah Code Ann. § 10-9a-509 (2021).

3.2. **Exceptions.** The vested rights and the restrictions on the applicability of Eagle Mountain’s Future Laws to the Project as specified in Section 3.1 are subject to the following exceptions:

3.2.1 **Master Developer Agreement.** Eagle Mountain’s Future Laws or other regulations to which the Developer agrees in writing;

3.2.2. **State and Federal Compliance.** Eagle Mountain’s Future Laws or other regulations which are generally applicable to all properties in Eagle Mountain and which are required to comply with State and Federal laws and regulations affecting the Project;

3.2.3. **Codes.** Any of Eagle Mountain’s Future Laws that are updates or amendments to existing building, fire, plumbing, mechanical, electrical, dangerous buildings, drainage, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual of Uniform Traffic Control Devices or similar standards that are generated by a nationally or statewide recognized

construction/safety organization, or by the State or Federal governments and are required to meet legitimate concerns related to public health, safety or welfare;

3.2.4 Taxes. Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by Eagle Mountain to all properties, applications, persons and entities similarly situated;

3.2.5. Fees. Changes to the amounts of fees for the processing of Development Applications that are generally applicable to all development within Eagle Mountain (or a portion of Eagle Mountain as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law;

3.2.6 Impact Fees. Impact Fees or modifications thereto which are lawfully adopted, and imposed by Eagle Mountain pursuant to Utah Code Ann. Section 11-36a-101 (2021) *et seq*;

3.2.7. Planning and Zoning Modifications. Changes by Eagle Mountain to its planning principles and design standards such as architectural or design requirements, setbacks or similar items so long as such changes do not work to reduce the Maximum Residential Units, are generally applicable across the entire Eagle Mountain, and do not unreasonably increase the costs of Development; or

3.2.8. Compelling, Countervailing Interest. Laws, rules or regulations that Eagle Mountain's land use authority finds, on the record, are necessary to avoid jeopardizing a compelling, countervailing public interest pursuant to Utah Code Ann. § 10-9a-509(1)(a)(i) (2021).

4. **Term of Agreement.** In accordance with Section 16.10.080 of the Vested Law, this MDA shall expire and terminate six (6) years from the Effective Date. This MDA shall also terminate automatically at Buildout. Notwithstanding the foregoing, any obligations of the Developer, including any obligations for which the Developer has provided a bond or other form of completion assurance, shall survive termination of this MDA.

5. **Processing of Development Applications.** The procedure for processing Development Applications shall in accordance with the procedural provisions of Eagle Mountain's Future Laws. If Eagle Mountain denies a Development Application, Eagle Mountain shall provide a written determination advising the Applicant of the reasons for denial including specifying the reasons Eagle Mountain believes that the Development Application is not consistent with this MDA, the Zoning and/or Eagle Mountain's Vested Laws (or, if applicable, Eagle Mountain's Future Laws).

6. **Public Infrastructure.**

6.1. **Construction by Developer.** Developer, at Developer's cost and expense, shall have the right and the obligation to construct or cause to be constructed and install all Public Infrastructure reasonably and lawfully required as a condition of approval of a Development Application pursuant to Eagle Mountain's Vested Laws. Such construction must meet all applicable standards and requirements and must be approved by Eagle Mountain's engineer, or his designee.

6.2 **Bonding.** In connection with any Development Application, Developer shall provide bonds or other development security, including warranty bonds, to the extent required by Eagle Mountain's Vested Laws, unless otherwise provided by Utah Code § 10-9a-101, *et seq.*, as amended. The Applicant shall provide such bonds or security in a form acceptable to Eagle Mountain or as specified in Eagle Mountain's Vested Laws. Partial releases of any such required security may be made as work progresses based on Eagle Mountain's Vested Laws.

7. **Upsizing/Reimbursements to Developer.** Eagle Mountain shall not require Developer to "upsizing" any future Public Infrastructure (i.e., to construct the infrastructure to a size larger than required to service the Project) unless financial arrangements reasonably acceptable to Developer are made to compensate Developer for the incremental or additive costs of such upsizing to the extent required by law. For example, if an upsizing to a water pipe size increases costs by 10% but adds 50% more capacity, Eagle Mountain shall only be responsible to compensate Developer for the 10% cost increase. An acceptable financial arrangement for upsizing of improvements means reimbursement agreements, payback agreements, and impact fee credits and reimbursements.

8. **Default.**

8.1. **Notice.** If Developer or Eagle Mountain fails to perform their respective obligations hereunder or to comply with the terms hereof, the Party believing that a Default has occurred shall provide Notice to the other Party.

8.2 **Contents of the Notice of Default.** The Notice of Default shall:

8.2.1 **Specific Claim.** Specify the claimed event of Default;

8.2.2 **Applicable Provisions.** Identify with particularity the provisions of any applicable law, rule, regulation or provision of this MDA that is claimed to be in Default; and

8.2.3 **Optional Cure.** If Eagle Mountain chooses, in its discretion, it may propose a method and time for curing the Default which shall be of no less than thirty (30) days duration.

8.3 **Mediation.** Upon the issuance of a Notice of Default the parties may engage a mediation or other dispute resolution process. Neither side shall be obligated to mediate if doing

so would delay or otherwise prejudice any remedy available at law.

8.4 **Public Meeting.** Before any remedy in Section 10.4.3 may be imposed by Eagle Mountain the party allegedly in Default shall be afforded the right to attend a public meeting before the Eagle Mountain City Council and address the Eagle Mountain City Council regarding the claimed Default.

8.5 **Default of Assignee.** A default of any obligations expressly assumed by an assignee shall not be deemed a default of Developer.

9. **Developer's Exclusive Remedy.** Developer's sole and exclusive remedy under this Agreement shall be specific performance of the rights granted in this Agreement and Eagle Mountain's obligations under this Agreement. IN NO EVENT SHALL EAGLE MOUNTAIN BE LIABLE TO DEVELOPER, ITS SUCCESSORS OR ASSIGNS, FOR ANY INDIRECT, SPECIAL, PUNITIVE, INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING, WITHOUT LIMITATION, LOST PROFITS, COSTS OF DELAY, OR LIABILITIES TO THIRD PARTIES.

10. **Eagle Mountain's Remedies Upon Default.** Eagle Mountain shall have the right to withhold all further reviews, approvals, licenses, building permits and other permits for development of the Property in the case of a Default by Developer until the Default has been cured. Eagle Mountain shall further have the right to draw on any security posted or provided in connection with the Property and relating to remedying of the particular Default.

11. **Notices.** All notices required or permitted under this MDA shall, in addition to any other means of transmission, be given in writing by certified mail and regular mail to the following address:

To the Developer:

To Eagle Mountain:

City Recorder
Eagle Mountain City
1650 E. Stagecoach Run
Eagle Mountain, UT 84005

12. **Headings.** The captions used in this MDA are for convenience only and are not intended to be substantive provisions or evidences of intent.

13. **No Third-Party Rights/No Joint Venture.** This MDA does not create a joint venture relationship, partnership or agency relationship between Eagle Mountain, or Developer. Further, except as specifically set forth herein, the parties do not intend this MDA to create any third-party beneficiary rights.

14. **Assignability.** The rights and responsibilities of Developer under this MDA shall run with the land and be binding on Developer and Developer's successors in interest. However, Developer may assign its obligations hereunder, in whole or in part, to other parties with the consent of Eagle Mountain as provided herein.

14.1 **Sale of Lots.** Developer's selling or conveying lots to residential purchasers shall not be deemed to be an "assignment" subject to the above-referenced approval by Eagle Mountain unless specifically designated as such an assignment by Developer and approved by Eagle Mountain.

14.2 **Notice.** Developer shall give Notice to Eagle Mountain of any proposed assignment and provide such information regarding the proposed assignee that Eagle Mountain may reasonably request in making the evaluation permitted under this Section. Such Notice shall include providing Eagle Mountain with all necessary contact information for the proposed assignee.

14.3. **Partial Assignment.** If any proposed assignment is for less than all of Developer's rights and responsibilities, then the assignee shall be responsible for the performance of each of the obligations contained in this MDA to which the assignee succeeds.

14.4. **Assignees and Successors in Interest Bound by MDA.** Developer's successors in interest as holders of title to the Property (except purchasers of completed Residential Dwelling Units) and assignees shall be bound by the terms of this MDA.

15. **No Waiver.** Failure of any Party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to exercise at some future date any such right or any other right it may have.

16. **Severability.** If any provision of this MDA is held by a court of competent jurisdiction to be invalid for any reason, the Parties consider and intend that this MDA shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this MDA shall remain in full force and affect.

17. **Force Majeure.** Any prevention, delay or stoppage of the performance of any obligation under this Agreement which is due to strikes, labor disputes, inability to obtain labor, materials,

equipment or reasonable substitutes therefor; acts of nature, governmental restrictions, regulations or controls, judicial orders, enemy or hostile government actions, wars, civil commotions, fires or other casualties or other causes beyond the reasonable control of the Party obligated to perform hereunder shall excuse performance of the obligation by that Party for a period equal to the duration of that prevention, delay or stoppage.

18. **Time is of the Essence.** Time is of the essence to this MDA and every right or responsibility shall be performed within the times specified.

19. **Applicable Law.** This MDA is entered into in Utah County in the State of Utah and shall be construed in accordance with the laws of the State of Utah.

20. **Venue.** Any action to enforce this MDA shall be brought only in the Fourth District Court for the State of Utah.

21. **Entire Agreement.** This MDA, and all Exhibits thereto, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all Parties.

22. **Mutual Drafting.** Each Party has participated in negotiating and drafting this MDA and therefore no provision of this MDA shall be construed for or against any Party based on which Party drafted any particular portion of this MDA.

23. **Recordation and Running with the Land.** This MDA or notice of this MDA shall be recorded in the chain of title for the Project. This MDA shall be deemed to run with the land. An electronic copy of Eagle Mountain's Vested Laws may be included as part of the original copy of this MDA with the Eagle Mountain Recorder.

24. **Authority.** The Parties to this MDA each warrant that they have all of the necessary authority to execute this MDA.

IN WITNESS WHEREOF, the parties hereto have executed this MDA by and through their respective, duly authorized representatives as of the day and year first herein above written.

DATED this ____ day of _____, 2021.

SCARLET RIDGE PARTNERS, LLC

By: _____

Print Name: _____

Title: _____

STATE OF UTAH)
)
) ss.
COUNTY OF _____)

NOTARY PUBLIC

EAGLE MOUNTAIN CITY

ATTEST:

Approved as to form:

10

TABLE OF EXHIBITS

Exhibit “A”	Legal Description of Property
Exhibit “B”	Site Plan / Preliminary Plat
Exhibit “C”	Notices of Decision

Exhibit "A"
Legal Description of Property

LEGAL DESCRIPTION

Beginning at the East Quarter Corner of Section 19, Township 6 South, Range 1 West, Salt Lake Base and Meridian; thence South $0^{\circ}11'52''$ East along section line 2674.69 feet to the Southeast Corner of said Section 19; thence North $89^{\circ}47'09''$ West along section line 1325.48 feet; thence North $0^{\circ}00'36''$ West along sixteenth section line 2671.99 feet; thence North $0^{\circ}10'27''$ East along sixteenth section line 2665.86 feet; thence South $89^{\circ}56'03''$ East along section line 1316.50 feet to the Northeast Corner of said Section 19; thence South $0^{\circ}10'12''$ West along section line 2666.62 feet to the point of beginning.

Area = 161.66 Acres

Exhibit “B”
Site Plan / Preliminary Plat

Exhibit “C”
Notices of Decision



REZONE & GENERAL PLAN AMENDMENT NOTICE OF DECISION Scarlet Ridge Estates

On March 3, 2021, the Eagle Mountain City Council approved the Scarlet Ridge Estates rezone and general plan amendment applications for parcels 59:019:0004 and 59:019:005 (about 160 acres – see attachment) with the following conditions:

1. That the amendment revise the Future Transportation Plan Map for the road running along the north edge of the subject property between the future Airport Road and the future collector road to the east of the subject property from a "major arterial" to a "collector";
2. All lots 1 acre and larger will be RD1, all lots less than 1 acre will be RD2 with the Equine Overlay Zone;
3. The approval is based on the preliminary plat dated February 24, 2021; and
4. The approval is contingent upon the approval of the project's master development agreement.

The City may require specific performance of Developer's obligations and City may withhold issuance of any further approvals or permits with the Project until the Developer has fully complied with these conditions of approval.

In no event shall the City be liable to the Developer, its successors or assigns, for any indirect, special, punitive, incidental or consequential damages, including, without limitation, lost profits, costs of delay, or liabilities to third parties.

EAGLE MOUNTAIN CITY

By: 
Steve Munford, AICP
Community Development Director

Date: 4/12/21

ATTACHMENTS

Exhibit A : Scarlet Ridge Estates Preliminary Plat (February 24, 2021)



PRELIMINARY PLAT NOTICE OF DECISION Scarlet Ridge Estates

On March 3, 2021, the Eagle Mountain City Council conditionally approved the Scarlet Ridge Estates preliminary plat application. The project contains one hundred and seventy-six (176) residential lots on approximately 160 acres, located east of the future Airport Road and south of the future Tiffany Lane on parcels 59:019:0004 and 59:019:0005.

This approval is based on compliance with the following conditions. These conditions are binding on the property owner and any subsequent purchaser of the property.

CONDITIONS OF APPROVAL

1. A fee-in-lieu payment, per EMMC 16.35.105(A)(11), shall be paid with recordation of the final plat;
2. Streetlighting is required to comply with EMMC 15.10.390;
3. Privacy fencing must be installed for residential lots with a rear and/or side lot adjacent to a collector road in compliance with EMMC 16.35.090, specifically the roads along the north, east, and south edge of the project;
4. The approval is contingent upon the approval of the project's master development agreement; and
5. The approval is based on the preliminary plat dated February 24, 2021.

NEXT STEPS

Developer may now proceed with the following steps:

1. Verify that all applicable conditions of approval have been completed.
2. Submit a complete final plat application to the Planning Department for the development for review by the City Development Review Committee (DRC).
3. Record the final plat with the City Recorder and payment of the fee-in-lieu. The payment is broken down by phase on the next page.

Based on 118 lots in the RD2 zone, the fee-in-lieu is:

$118 \text{ lots} \times 500 \text{ sf/lot} \times \$3.75 = \$221,250 + \text{appraised value of land to be acquired for open space}$

The City may require specific performance of Developer's obligations and City may withhold issuance of any building permits or further approvals with the Project until Developer has fully complied with these conditions of approval.

In no event shall City be liable to developer, its successors or assigns, for any indirect, special, punitive, incidental or consequential damages, including, without limitation, lost profits, costs of delay, or liabilities to third parties.

This preliminary plat will expire two (2) years after approval on March 2, 2023 if a final plat has not been approved (or under review) by the City Development Review Committee (DRC). An extension of time must be requested in writing and received by the Planning Department prior to the expiration date if an extension is legitimately needed. The City does not send reminder notices or other notification of the pending expiration date. The action to request an extension is the responsibility of the proponent.

EAGLE MOUNTAIN CITY

By: Steve Mumford
Steve Mumford, AICP
Community Development Director

Date: 4/12/21

FEE-IN-LIEU BY PHASE

PHASE	# OF APPLICABLE LOTS	BASE FIL	APPRAISED LAND VALUE
1	29	\$54,375.00	+ Appraised value of land for open space purchase / divide (if applicable)
2	13	\$24,375.00	
3	20	\$37,500.00	
4	11	\$20,625.00	
5	18	\$33,750.00	
6	16	\$30,000.00	
7	11	\$20,625.00	
	118	\$221,250.00	

ATTACHMENTS

Exhibit A: Scarlet Ridge Estates Preliminary Plat (February 24, 2021)

